

REMARKS

Applicants have amended claims 1, 7, 13, 15, 16, 18, and 24, as set forth above. No new matter has been added by way of these amendments. In view of these amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The Office has objected to claims 5, 6, 13, and 14 because claims 5 and 13 appear to be duplicate claims, and claims 6 and 14 appear to be duplicate claims. Applicants have now amended claim 13 to depend from independent claim 7. In view of the foregoing amendments and remarks, reconsideration and withdrawal of this objection is respectfully requested.

The Office has rejected claims 1-5, 7-11, 13, 16, 18-22, and 24-29 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,494,863 to Shaw et al. (Shaw), and claims 6, 14, 15, 23, and 30 under 35 U.S.C. §103(a) as allegedly being unpatentable over Shaw in view of U.K. Patent Application No. GB 2203047 to Banks (Banks). The Office asserts Shaw discloses a disabling system for a syringe (citing to FIGS. 15-19) comprising a plunger (citing to handle 116) having a plurality of aligned steps (citing to stepped serrations 124) disposed longitudinally along the plunger (citing to FIG. 15) and a collar (citing to clip structure 114 and collar 126) mountable to the barrel (citing to FIG. 15), said collar comprising an inner member (citing to collar 126) and an outer member (citing to clip 114, FIG. 16) having pawls (citing to teeth 136) capable of engaging the ratchets of the plunger (citing to FIG. 18), said inner member operable to prevent engagement of the ratchets by the pawls (citing to FIGS. 15, 17) until the plunger is depressed (citing to col. 12, lines 8-20).

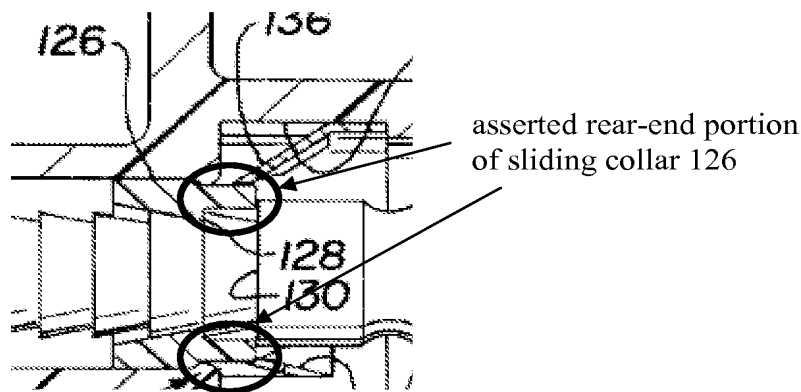
Shaw and Banks, taken alone or in combination, do not disclose or suggest, “the inner member comprising one or more projections resiliently deformable to prevent initial engagement of said ratchet by said at least one pawl until said plunger is depressed,” as recited by claims 1 and 7, “the inner member comprising one or more projections resiliently deformable to prevent initial engagement of said ratchet by said two pawls until said plunger is depressed,” as recited by claims 15 and 16, “the inner member comprising one or more projections resiliently deformable to prevent initial engagement of the at least one ratchet of the plunger by at least one pawl of an outer member of the collar until the plunger is depressed,” as recited by claim 18, or “the inner member comprising one or more projections

resiliently deformable to prevent initial engagement of the at least one ratchet by the at least one pawl until the plunger is depressed in the barrel,” as recited by claim 24.

Although in the cited col. 12, lines 8-10, Shaw notes “[c]ollar 126 is still keeping springing teeth 136 from contacting the handle in FIG. 17,” collar 126 does not show the claimed “one or more projections” that are “resiliently deformable to prevent initial engagement.” The Office’s attention is respectfully requested toward col. 11, lines 64 of Shaw where it is disclosed (emphasis added):

Springing clip 114 has a plurality of springing teeth 136 which are initially separated from the handle by a rear end portion of sliding collar 126 as seen in FIG. 15. This is the initial position of the handle which corresponds to the starting position of FIG. 1 or FIG. 8.

The above-noted rear-end portion of sliding collar 126 is shown in FIG. 15 as reproduced partially below (emphasis added):



The above-illustrated arrangement in Shaw clearly appears to be rigid and inflexible with no room for resilient deformation of the rear end. The Office is respectfully reminded “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). M.P.E.P § 2131 (emphasis added). Since Shaw does not disclose or suggest at least the above-noted limitation of the claims, Shaw does not anticipate claims 1, 7, 15, 16, 18, and 24. Like Shaw, Banks does not disclose or suggest the above-noted limitations.

In sharp contrast, by way of example only, the Office’s attention is respectfully requested toward FIG. 4 of the Applicants’ drawings illustrating inner member

50 with resiliently deformable projections 52A and 53B described at pp. 5, lines 1-4 of the original filed specification (emphasis added):

As can be seen in FIG. 4, inner member 50 comprises inner member body 51 having first projection 52A and second projection 52B, which projections are resiliently deformable in the direction indicated by arrows. Inner member body 51 also comprises tabs 54A, 54B.

Further, on pp. 5, lines 13-16, Applicants disclose (emphasis added):

In this correctly aligned and non-rotatable configuration, first projection 52A and second projection 52B of inner member 50 are initially, respectively positioned between pawls 42A, 42B of outer member 40 and ratchets 23A, 23B, thereby preventing pawls 42A, 42B of collar 40 contacting steps 24A, 24B.

By way of example only, the above-noted claimed invention advantageously provides a simple yet novel, robust and inexpensive syringe that is automatically disabled with little or no assistance from the user to prevent or minimize the likelihood of re-use of the syringe. *See for example*, specification at pp. 6, lines 11-14.

Accordingly, in view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw this rejection of claims 1, 7, 15, 16, 18, and 24. Since claims 2-6 depend from and contain the limitations of claim 1, claims 8-11, 13, and 14 depend from and contain the limitations of claim 7, claims 19-23 depend from and contain the limitations of claim 18, and claims 25-30 depend from and contain the limitations of claim 24, they are distinguishable over the cited references and patentable in the same manner as claims 1, 7, 18, and 24.

In view of all of the foregoing, Applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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/Gunnar G. Leinberg/
Gunnar G. Leinberg
Registration No. 35,584

NIXON PEABODY LLP
1100 Clinton Square
Rochester, New York 14604
Telephone: (585) 263-1014
Facsimile: (585) 263-1600